

1 R. Alexander Saveri (173102)

2 *rick@saveri.com*

3 Geoffrey C. Rushing (126910)

4 *grushing@saveri.com*

5 Matthew D. Heaphy (227224)

6 *mheaphy@saveri.com*

7 SAVERI & SAVERI, INC.

8 706 Sansome Street

9 San Francisco, CA 94111

10 Telephone: (415) 217-6810

11 Facsimile: (415) 217-6813

12 *Lead Counsel for Direct Purchaser Plaintiffs*

13

14

15

16

17

18

19

20

21

22

23

24

25

26

27

28

**UNITED STATES DISTRICT COURT**  
**NORTHERN DISTRICT OF CALIFORNIA**  
**OAKLAND DIVISION**

IN RE: CATHODE RAY TUBE (CRT)  
ANTITRUST LITIGATION

Master File No. 07-CV-5944-JST

MDL No. 1917

This Document Relates to:

*ALL DIRECT PURCHASER ACTIONS*

**DIRECT PURCHASER PLAINTIFFS'  
REPLY BRIEF IN SUPPORT OF MOTION  
FOR ORDER AUTHORIZING  
DISTRIBUTION OF SETTLEMENT FUNDS**

Date: May 26, 2022

Time: 2:00 p.m.

Judge: Honorable Jon S. Tigar

Courtroom: 6 - 2nd Floor

## STATEMENT OF ISSUES TO BE DECIDED

1. Whether to adopt and approve the Settlement Administrator's recommendations regarding the ineligibility of the claims, as set forth in Exhibit B to the Christman Declaration.

2. Whether to authorize payment of all claims approved by the Settlement Administrator from the settlement funds according to the pro rata Plan of Allocation and as set forth in Exhibit D to the Christman Declaration.

3. Whether the Settlement Administrator shall be reimbursed for costs and expenses incurred in the amount of \$1,291,445.86.

4. Whether to reserve \$70,660.76 for the payment of additional claims administration costs and expenses, and \$250,000.00 for potential tax liability and other issues.

## **REPLY BRIEF**

## I. INTRODUCTION

Direct Purchaser Plaintiffs (“Plaintiffs”) respectfully submit this Reply Brief in support of their Motion for an Order Authorizing Distribution of Settlement Funds (ECF No. 6005) (“Motion” or “Mot.”). No objection to the Motion has been filed to date. The Court should therefore enter an order authorizing payment of approximately \$142 million to the 1,834 approved claimants.

## II. STATEMENT OF RELEVANT FACTS

After Plaintiffs filed their Motion, the following documents were posted on the CRT settlement website ([www.CRTDirectPurchaserAntitrustSettlement.com](http://www.CRTDirectPurchaserAntitrustSettlement.com)) maintained by the Settlement Administrator: the Notice of Motion and Motion, the Memorandum of Points and Authorities in Support Thereof, the Declaration of Rachel Christman re: Claims Processing and Distribution of the Net Settlement Funds (“Christman Declaration”), and the [Proposed] Order Granting Direct Purchaser Plaintiffs’ Motion for Order Authorizing Distribution of Settlement Funds. Declaration of Rachel Christman re: Posting of Documents to Settlement Website ¶ 2 (“Christman Reply Declaration”).

The Settlement Administrator has responded to inquiries from class members regarding the status of the proposed distributions as well as the calculations of their proposed pro rata payments. *Id.* ¶ 3. The deadline to oppose the Motion has passed and no opposition or objections were filed.

1                   **III. ARGUMENT**

2                   Plaintiffs' proposed distribution is fair, adequate and reasonable, and gives no preferential  
 3 treatment to any individual claimant. All approved claimants are entitled to a pro rata share of the  
 4 Net Settlement Funds, less expenses and reserve, according to the pro rata Plan of Allocation. Mot.  
 5 at 13–14. The pro rata Plan of Allocation previously approved by the Court will compensate class  
 6 members based on the extent of their injuries. *Id.* at 13 (citing *In re Anthem, Inc. Data Breach*  
 7 *Litig.*, 327 F.R.D. 299, 332 (N.D. Cal. 2018)). Notices about the settlements and the claims process  
 8 informed the class about the pro rata allocation. Mot. at 5–6. Therefore any objections based on the  
 9 previously approved pro rata allocation—if any are filed—should be overruled.

10                  **IV. CONCLUSION**

11                  For the foregoing reasons, Plaintiffs respectfully request that the Court enter the previously  
 12 submitted [Proposed] Order: 1) approving the Settlement Administrator's recommendations  
 13 regarding the ineligibility of claims set forth in Exhibit B to the Christman Declaration; 2)  
 14 authorizing payment of all claims approved by the Settlement Administrator according to the pro  
 15 rata Plan of Allocation, as set forth in Exhibit D to the Christman Declaration; 3) authorizing  
 16 payment to the Settlement Administrator for unreimbursed costs and expenses incurred in the  
 17 amount of \$1,291,445.86; and 4) authorizing Plaintiffs to reserve in escrow \$70,660.76 for the  
 18 payment of additional claims administration costs, as well as \$250,000 for potential tax liability or  
 19 other issues.

20  
 21                  Dated: April 21, 2022

                        Respectfully submitted,

22  
 23                  \_\_\_\_\_  
 24                  /s/ *R. Alexander Saveri*  
 25                  R. Alexander Saveri (173102)  
 26                  Geoffrey C. Rushing (126910)  
 27                  Matthew D. Heaphy (227224)  
 28                  SAVERI & SAVERI, INC.  
 706 Sansome Street  
 San Francisco, CA 94111  
 Telephone: (415) 217-6810  
 Facsimile: (415) 217-6813

*Lead Counsel for Direct Purchaser Plaintiffs*